

23208

Applicant's or agent's file reference number	IN 52 PCT	International application No.
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## INDICATIONS RELATING TO A DEPOSITED MICROORGANISM

(PCT Rule 13bis)

A. The indications made below relate to the microorganism referred to in the description on page <u>4</u> , line <u>28</u> .		
B. IDENTIFICATION OF DEPOSIT		Further deposits are identified on an additional sheet <input type="checkbox"/>
Name of depositary institution ECACC European Collection of Cell Cultures		
Address of depositary institution (including postal code and country) Centre for Applied Microbiology & Research Salisbury Wiltshire SP4 0JG United Kingdom		
Date of deposit	Accession Number	
August 30, 2000	00083008	
C. ADDITIONAL INDICATIONS (leave blank if not applicable)		This information is continued on an additional sheet <input type="checkbox"/>
In respect of all designated States to which such action is possible and to the extent that it is legally permissible under the law of the designated State, it is requested that a sample of the deposited microorganism be made available only by the issue thereof to an independent expert, in accordance with the relevant patent legislation, e.g., EPC Rule 28 (4); UK Patent Rules 1995, Schedule 2, Paragraph 3; Australian Regulation 3.25(3); Danish Patents Act Sections 22 and 33(3) and generally similar provisions mutatis mutandis for any other designated State.		
D. DESIGNATED STATES FOR WHICH INDICATIONS ARE MADE (if the indications are not for all designated States)		
E. SEPARATE FURNISHING OF INDICATIONS (leave blank if not applicable)		
The indications listed below will be submitted to the International Bureau later (specify the general nature of the indications e.g., "Accession Number of Deposit")		

For receiving Office use only

This sheet was received with the international application

Authorized officer

For International Bureau use only

This sheet was received by the International Bureau on:

Authorized officer



# Centre for Applied Microbiology and Research & European Collection of Cell Cultures

This document certifies that Virus  
(Deposit Ref. V00083008) has been accepted as a patent deposit,  
in accordance with

The Budapest Treaty of 1977,  
with the European Collection of Cell Cultures on 30<sup>TH</sup> August 2000

*P J Packer*

.....  
Dr P J Packer  
Quality Manager, ECACC

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Appendix 3

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IV. CONDITIONS UNDER WHICH THE VIABILITY TEST HAS BEEN PERFORMED

V00083008 - MVA-BN

VIABILITY OF MVA-BN WAS TESTED BY GROWING THE VIRUS ON BHK CELLS AND CALCULATING THE TCD50.

V. INTERNATIONAL DEPOSITORY AUTHORITY

Name: Dr P J Packer  
ECACC CAMR  
Address: Porton Down  
Salisbury  
Wiltshire  
SP4 0JG

Signature(s) of person(s) having the power  
to represent the International Depository  
Authority or of authorized official(s):

Date: 14/12/00 P. Slade

4 Fill in if the information has been requested and if the results of the test were negative.

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## APPENDIX 3

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BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

## INTERNATIONAL FORM

TO

BAVARIAN NORDIC RESEARCH  
INSTITUTE GMBH  
FRAUNHOFERSTRASSE 18B  
D-82152 MARTINSRIED  
GERMANY

## VIABILITY STATEMENT

Issued pursuant to Rule 10.2 by the  
INTERNATIONAL DEPOSITORY AUTHORITY  
identified on the following page

NAME AND ADDRESS OF THE PARTY  
TO WHOM THE VIABILITY OF STATEMENT  
IS ISSUED

I. DEPOSITOR	II. IDENTIFICATION OF THE MICROORGANISM
<p>Name: BAVARIAN NORDIC RESEARCH INSTITUTE GMBH</p> <p>Address: FRAUNHOFERSTRASSE 18B D-82152 MARTINSRIED GERMANY</p>	<p>Accession number given by the INTERNATIONAL DEPOSITORY AUTHORITY: V00083008</p> <p>Date of the deposit or of the transfer: 30<sup>th</sup> August 2000</p>
III. VIABILITY STATEMENT	
<p>The viability of the microorganism identified under II above was tested on <sup>2</sup>. On that date, the said microorganism was</p>	
<input checked="" type="checkbox"/> <sup>3</sup> viable	
<input type="checkbox"/> <sup>3</sup> no longer viable	

- 1 Indicate the date of the original deposit or, where a new deposit or a transfer has been made, the most relevant date (date of the new deposit or date of the transfer).
- 2 In the cases referred to in Rule 10.2 (a) (ii) and (iii), refer to the most recent viability test.
- 3 Mark with a cross the applicable box.

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## APPENDIX 3

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BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF MICROORGANISMS  
FOR THE PURPOSES OF PATENT PROCEDURE

TO

BAVARIAN NORDIC RESEARCH  
INSTITUTE GMBH  
FRAUNHOFERSTRASSE 18B  
D-82152 MARTINSRIED  
GERMANY

## INTERNATIONAL FORM

NAME AND ADDRESS  
OF DEPOSITOR

## I. IDENTIFICATION OF THE MICROORGANISM

Identification reference given by the  
DEPOSITOR:

MVA-BN

Accession number given by the  
INTERNATIONAL DEPOSITORY AUTHORITY:

V00083008

## II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION

The microorganism identified under I above was accompanied by:

 A scientific description A proposed taxonomic designation

(Mark with a cross where applicable)

## III. RECEIPT AND ACCEPTANCE

This International Depository Authority accepts the microorganism identified under I above,  
which was received by it on 30<sup>th</sup> August 2000 (date of the original deposit)<sup>1</sup>

## IV. RECEIPT OF REQUEST FOR CONVERSION

The microorganism identified under I above was received by this International  
Depository Authority on (date of the original deposit) and  
A request to convert the original deposit to a deposit under the Budapest Treaty  
was received by it on (date of receipt of request for conversion)

## IV. INTERNATIONAL DEPOSITORY AUTHORITY

Name: Dr P J Packer

Signature(s) of person(s) having the power  
to represent the International Depository  
Authority or of authorized officials(s):Address: ECACC  
CAMR  
Porton Down  
Salisbury SP4 0JG

Date: P J Packer 14/12/00

<sup>1</sup> Where Rule 6.4(d) applies, such date is the date on which the status of international depositary authority was acquired

## Certificate of Analysis

**Product Description** MVA-BN  
**Accession Number** 00083008

**Test Description:** The Detection of Mycoplasma by Isolation on Mycoplasma Pig Serum Agar and in Mycoplasma Horse Serum Broth.  
SOP QC/MYCO/01/02

**Acceptance Criterion/Specification:** All positive controls (*M. pneumoniae* & *M. orale*) must show evidence of mycoplasma by typical colony formation on agar plates. Broths are subcultured onto Mycoplasma Pig Serum Agar where evidence of mycoplasma by typical colony formation is evaluated. All negative control agar plates must show no evidence of microbial growth.  
The criteria for a positive test result is evidence of mycoplasma by typical colony formation on agar. A negative result will show no such evidence.

**Test Number:** 21487

**Date:** 27/11/00

**Result:**

Positive Control:	Positive
Negative Control:	Negative
Test Result:	Negative
Overall Result:	PASS

**Test Description:** Detection of Mycoplasma using a Vero indicator cell line and Hoechst 33258 fluorescent detection system.  
SOP QC/MYCO/07/05

**Acceptance Criterion/Specification:** The Vero cells in the negative control are clearly seen as fluorescing nuclei with no cytoplasmic fluorescence. Positive control (*M. orale*) must show evidence of mycoplasma as fluorescing nuclei plus extra nuclear fluorescence of mycoplasma DNA. Positive test results appear as extra nuclear fluorescence of mycoplasma DNA. Negative results show no cytoplasmic fluorescence.

**Test Number:** 21487

**Date:** 27/11/00

**Result:**

Positive Control:	Positive
Negative Control:	Negative
Test Result:	Negative
Overall Result:	PASS

Authorised by.....*PSD*.....ECACC, Head of Quality.....4.11.02.. Date

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## Certificate of Analysis

Product Description  
Accession Number

MVA-BN  
00083008

Test Description: Detection of bacteria and fungi by isolation on Tryptone Soya Broth (TSB) and in Fluid Thioglycollate Medium (FTGM). SOP QC/BF/01/02

Acceptance Criterion/Specification: All positive controls (*Bacillus subtilis*, *Clostridium sporogenes* and *Candida albicans*) show evidence of microbial growth (turbidity) and the negative controls show no evidence of microbial growth (clear). The criteria for a positive test is turbidity in any of the test broths. All broths should be clear for negative test result.

Test Number: 21487  
Date: 27/11/00  
Result:

Positive Control:	Positive
Negative Control:	Negative
Test Result:	Negative
Overall Result:	PASS

Test Description: Determination of TCID<sub>50</sub> of cytopathic Virus titration. (SOP ECACC/055) Cell

Acceptance Criterion/Specification/Criteria: Negative controls should show no sign of Cytopathic effects. The Test Sample is serially diluted into 4 wells of indicator cell lines for each dilution. Cytopathic effects indicate that virus is present. Virus titre is calculated using the below equation where x is the value obtained from a standard TCID<sub>50</sub> Table as a result of the distribution of the wells displaying less than 4 positive wells per dilution, and y is the value of the highest dilution where all 4 wells are positive:

$$TCID_{50} = \frac{1}{y} \times 10^{1-x}$$

Date: 01/12/00

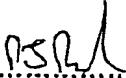
Result:

Indicator Cell Line:	BHK21 (Clone 13)
Negative Control:	NO CPE
Test Sample:	CPE
Distribution of less than 4 positive wells:	4, 4, 4, 3, 0
X:	1.25
Y:	10 <sup>-3</sup>

$$TCID_{50} = \frac{1}{10^{-3}} \times 10^{1+0.25}$$
$$= 10^{3.25}$$

Overall Result: Virus Present

\*\*\* End of Certificate \*\*\*

Authorised by.....  ECACC, Head of Quality..... 4/12/00... Date

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European Collection of Cell Cultures

[www.ecacc.org](http://www.ecacc.org)





## BIOHAZARD STATEMENT

(To be included with all deposits)

**Deposit category**

Cell Culture

Plant Culture

Virus Recombinant DNA

DNA Probe

Bacteria

Does the above deposit represent an infectious, toxic or allergenic hazard?

Yes

No

If yes, please give details and any associated hazard category (eg. ACDP category) and fax to ECACC PRIOR to shipment of cells.

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Does the above deposit contain genetically manipulated material?

Yes

No

If yes, please enclose a general description and answer the following:

a. is the material

DNA

RNA

b. is the material present in a host organism?

Yes

No

c. is the genetic material readily transferred to environmental organisms?

Yes

No

d. is the genetic material likely to be expressed as protein?

Yes

No

e. what is the category of this material under ACGM regulations?

ie. i. containment level \_\_\_\_\_

ii. GMO type \_\_\_\_\_

For any positive responses to questions b-d please give details

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Please supply any further details which would be relevant to assessing the safe handling conditions for materials to be deposited at ECACC.

Highly attenuated Replication Incompetent in Humans and Animals

Signed

P. Pielken

Date 26.08.2000

Print name Dr. Petra Pielken

Please note that deposits which are, or contain, animal pathogens require an import licence into the EC. Please allow 8 weeks for this process. Submit information requested by ECACC for licence applications as quickly as possible.

**CAMR**  
Today's Research  
Tomorrow's Health

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E-Mail: ecacc@camr.org.uk Web Site: www.camr.org.uk



No. FS33819

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